

Dedeick Lemont Hickey 404004
Full Name/Prisoner Number

201 N. Shartel
Oklahoma City, OK

73102
Complete Mailing Address

Plaintiff

FILED

DEC 28 2020

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY WJ DEPUTY

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF

Dedeick Lemont Hickey)
Plaintiff, 404004)
(Full name and prisoner number.))

vs. The Oklahoma County)
Detention Center)
Darnapis Guerra, Sandra)
April, Michael Aleman,)
Defendant(s), Samuel Aguilar)
(Full name(s). Do not use et al.) Jail Trust)
Board Jail Administrators)

CIV-20-1291-D

CASE NO. _____
(To be supplied by the Court)

**PRISONER CIVIL RIGHTS
COMPLAINT**

A. PARTIES

1. Dedeick Lemont Hickey is a citizen of Oklahoma
(Plaintiff) (State)
presently residing at 201 N. Shartel OKC, OK 73102
(Mailing address or place of confinement)

2. Defendant Oklahoma County Detention Center is a citizen of Oklahoma
(Name of first defendant) (State)
whose address is 201 N. Shartel OKC, OK 73102
and who is employed as Oklahoma County Detention Center
(Title and place of employment)

At the time the claim(s) alleged in this complaint arose, was this defendant acting under color

2. Jurisdiction also is invoked pursuant to 28 U.S.C. § 1343(a)(3). (If you wish to assert jurisdiction under different under different or additional statutes, you may list them below.)

C. CAUSE OF ACTION

1. I allege that the following of my constitutional rights, privileges, or immunities have been violated : (If more space is needed to explain any allegation or to list additional supporting facts, continue on a blank sheet which you should label "APPENDIX D. CAUSE OF ACTION.")

ON 11-8-20 at around 6:30 pm all
my personal property, legal mail
and music that I was writing and
planing to sell was thrown into
a trash. And I NEVER got it back
The whole incident is on videotape.

2. Supporting Facts: (Include all facts you consider important, including names of persons involved, places, and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

ON 11-8-20 I was put in special
housing unit and seperated from
my Property, legal mail and personal
belongings. I started asking staff
at the Oklahoma County Detention
for my property and they told me to ask
officer Baeteez. Officer Baeteez
said he couldn't find it. I asked

Barteez. everyday for about a week or two for my property I also filled out request of staffs and grievances. one of the grievances said captain Carter was investigating the situation but nothing happened. A investigator came to talk to me about the incident that happened on 11-8-20 I believe his name is Stephen Ponder. I told him I never got my property back. He said he would check on it. Later that day officer Barteez told me the investigator said my property was thrown away by one of the officers at the Oklahoma County detention. I asked him for the name of the officer who threw my property away and told him I planned to press charges under *176D Maliciously defacing property of another and also take civil action.

D. PREVIOUS LAWSUITS

1. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment? Yes ☒ No ☐. If your answer is "Yes," describe each lawsuit. (If there is more than one lawsuit, described the additional lawsuits using this same format on a blank sheet which you should label "APPENDIX E. PREVIOUS LAWSUITS")

a. Parties to previous lawsuit:

Plaintiff(s): Dedrick Lemont Hickey
404004

Defendant(s) Oklahoma County Sheriff Department -
P.D Taylor - Public Defender Nicole Evans

- b. Name and location of court and docket (case) number: U.S. Dist.
Court Western Oklahoma # CIV-20-1134-R
- c. Disposition of lawsuit. (For example, was the case dismissed? Was it appealed?
It is still pending?) The case is still
PENDING.
- d. Issues raised: UNSANITARY living conditions, CELE
and UNUSAL punishment mental anguish
- e. Approximate date of filing lawsuit: NOV. 9 2020
- f. Approximate date of disposition: : PENDING

E. EXHAUSTION OF PRISON OR JAIL GRIEVANCE SYSTEM

1. I have exhausted the grievance system within the jail or prison in which I am incarcerated. ☒ Yes
☐ No. If your answer is "Yes, briefly explain the steps taken to exhaust each claim you are bringing
against each Defendant. It is advisable to attach proof of exhaustion. If your answer is "No," briefly
explain why the grievance system or other administrative remedies were not exhausted.

I have asked for the name of the officer
RESPONSIBLE, I have asked for reimbursement
of property and legal mail. I have asked

to file charges. Copies of grievances are
on the kiosk at the Detention Center

F. PREVIOUSLY DISMISSED ACTIONS OR APPEALS

1. If you are proceeding under 28 U.S.C. § 1915, please list each civil action or appeal you have brought in a court of the United States, while you were incarcerated or detained in any facility, that was dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. Please describe each civil action or appeal. If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on a blank sheet which you should label "APPENDIX F. PREVIOUSLY DISMISSED ACTIONS OR APPEALS."

a. Parties to previous lawsuit:

Plaintiff(s):

NONE

Defendant(s):

NONE

b. Name and location of court and docket (case) number: NONE

c. Grounds for dismissal: () frivolous () malicious () failure to state a claim upon which relief may be granted.

d. Approximate date of filing lawsuit: NONE

e. Approximate date of disposition: NONE

G. IMMINENT HARM

1. Are you in imminent danger of serious physical injury? ☒ Yes ☐ No. If your answer is "Yes," please describe the facts in detail below without citing legal authority or argument.

The threats from Damielis Guerra and the inmates

about wats going to be done to me if I go
back to general population. The fact that
she keeps coming to the unit trying to feed me
state trays that could be contaminated

H. REQUEST FOR RELIEF

I request the following relief:

Any relief that could be
granted to me. To be released
from here or transferred
financial relief for mental anguish
pain and suffering cruel and unusual
punishment and damages to my legal defense
in the amount of \$275,000
dollars for Liability

I. Request for Appointment of Attorney

I do ☒ do not ☐ request that an attorney be appointed to represent me in this matter. I believe
that I am in need of an attorney for these particular reasons which make it difficult for me to pursue this
matter without an attorney: BECAUSE I REALLY DON'T

KNOW THE PROPER PROCEDURE ON
THIS,

Dedrick Hickey
Prisoner Original Signature

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained in the complaint is true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Executed at Oklahoma County Detention on 12-12-20
(location) (date)

Dedrick Hickey
Prisoner's Original Signature

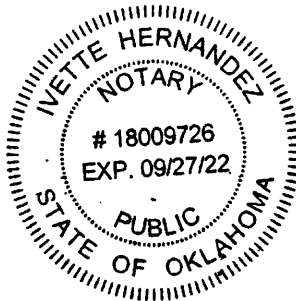
Subscribed and sworn before me this 23rd day of December, 2020

Ivette Hernandez

Notary

09/27/22

Exp Date



Appendix D. Cause of Action

The Oklahoma County Detention Center NEVER gave me the name of that officer. The Oklahoma County Detention Center NEVER replaced my property or legal mail and wasn't going to tell me about the situation if I never asked. So I named everyone that made contact with my property that I know of on the day of the incident on 11-8-20. Since the incident I have been having problems reconnecting with my family and friends. I have been in the jail for 2 years 9 months and all of my contacts, letters, addresses was with my property and with the pandemic covid-19 its been a lot of mental anguish and worrying not being able to contact some of my family and close friends because I don't have there contacts anymore.

Also since the incident on 11-8-20 one of the officers Damaris Guerra has been sending threats threw other inmates saying if I come back to general population some of the other inmates are going to attack me on her behalf.

She has come to the unit where I am housed several times since the

incident and has even made attempts to feed me state trays from the Oklahoma County Detention Center all of this is on videotape dates include 11-29-20 around lunch time 12-12-20 around lunch time.

I am also in a legal battle and have been preparing for trial since I got here almost 3 years ago, all of my legal mail copies of important motions, discovery, defense strategies and facts about my case was also with my property that was thrown in the trash forcing me to start from scratch and putting me at a major disadvantage and also violates my amendment rights that says I am entitled to a fair trial. At this point I am still a inmate at the Oklahoma County detention center and I have trial in two months, I lost all of my motions/Defense strategies/discovery and facts about my case. I have nothing about my case at a important time in my legal battle and everything that I had done on my case so far was destroyed never to be returned and the Oklahoma County Detention Center is responsible. With trial in two months I don't see anything fair about it.

APPENDIX A. PARTIES

Defendants - Jail Trust Board
Jail Administrators
Damaris Guerra
Sandra April
Michael Alleman
Samuel Aguilar

All Defendants are citizens of Oklahoma.
All Defendants were acting under color
of state law at the time claims arose.
All Defendants had power and control
over me. I am a prisoner at the
Oklahoma County Detention Center.
All Defendants work for the Oklahoma
County Detention Center.

Defendants Address - 201 N. Shartel
Oklahoma City, OK
73102

Part B. Jurisdiction

Jurisdiction is asserted pursuant to
42 U.S.C. § 1983 (Applies to state prisoners)

To whom it may concern Part B was missing from
the form the Detention Center gave me.